



BP 2330 QUORUM AND VOTING

References:

Education Code Sections 72000(d)(3), 81310 et seq., 81365, 81432, and 81511;
Government Code Sections 53094 and 54950 et seq.;;
Code of Civil Procedure Section 1245.240
Title 5 Section 58307

A quorum of the Board shall consist of four voting members.

The Board shall act by majority vote of all of the membership of the Board, except as noted below. The vote of the student trustee is advisory, and the presence of the student trustee is not counted in reaching a quorum.

A tie vote, such as 3-3, shall be deemed a vote of "no action" and a condition of "status quo" related to agenda item should exist. An abstention shall not be counted as an affirmative or negative vote. No action shall be taken by secret ballot.

The following actions require a two-thirds majority of all members of the Board:

- Resolution of intention to sell or lease District real property which is not or will not be needed by the District for school classroom buildings (except where a unanimous vote is required);
- Resolution of intention to dedicate or convey an easement;
- Resolution authorizing and directing the execution and delivery of a deed;
- Action to declare the District exempt from the approval requirements of a planning commission or other local land use body;
- Appropriation of funds from the reserve for contingencies;
- Resolution to condemn real property;
- Resolution to pursue the authorization and issuance of bonds pursuant to paragraph (3) of subdivision (b) of Section 1 of Article XIII A of the California Constitution and subdivision (b) of Section 18 of Article XVI of the California Constitution.

The following actions require a unanimous vote of all members of the Board:

- Resolution authorizing a sale or lease of District real property to the state, any county, city or to any other school or community college district;



- Resolution authorizing lease of District property under a lease for the production of gas.

Date Adopted: July 25, 2013

Reviewed/Readopted: May 12, 2016

Legal Reference Update #33: October 2018

Legal Update #42: April 2023